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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON  
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8 DIGIDEAL CORPORATION, a  
Washington Corporation,

9 Plaintiff/  
10 Counterdefendant,

11 v.

12 SHUFFLE TECH INT'L LLC, an  
Illinois Limited Liability Company,  
13 RICHARD SHULTZ, an individual,  
POYDRAS-TALRICK HOLDINGS  
14 LLC, a Delaware Limited Liability  
Company,

15 Defendants/  
16 Counterclaimants/  
17 Third-Party Plaintiffs

18 v.

19 MICHAEL J. KUHN, an individual,

20 Third-Party Defendant/  
Counterclaimant.

NO. 2:14-CV-00277-JLQ

ORDER RE: DISCOVERY ISSUES

21 On July 8, 2016, the court held a telephonic conference to address the pending  
22 Motion to Compel and other discovery issues. Eowen Rosentrater represented Plaintiff  
23 and Third-Party Defendant. H. Stan Johnson appeared on behalf of the Defendants. This  
24 Order memorializes and supplements the court's oral rulings.

25 The court is concerned by the apparent disregard for the Federal Rules of Civil  
26 Procedure and non-responses to discovery requests by both Plaintiff and Defendants. The

1 instant Motion alone raises issue with over 100 discovery requests. Because of the court's  
2 open file policy regarding discovery, **anything not disclosed in discovery will not be**  
3 **allowed at trial**. The trial date of October 11, 2016, is a firm trial date and all discovery  
4 issues will be resolved in a timely manner pre-trial to allow for the efficient resolution of  
5 this matter.

6 To address the myriad discovery issues and complete recalcitrance by all parties, the  
7 court will hold an in-person hearing on Thursday, July 14, 2016 at 9 a.m. Prior to the  
8 hearing, the parties should meet and confer to attempt to resolve and narrow the  
9 outstanding discovery issues. The parties should be prepared to brief the court on the  
10 status of this case and identify the remaining discovery issues requiring the court's  
11 intervention. At the hearing, the court will begin with Plaintiff's Motion to Compel, and  
12 address each discovery issue *ad seriatim* for whatever amount of time is necessary to  
13 resolve each and every issue. If time permits, the court will also address Plaintiff's  
14 objections and responses to the discovery propounded by Defendants.

15 **IT IS HEREBY ORDERED:**

16 The parties shall appear before the court on **Thursday, July 14, 2016, at 9:00 a.m.**,  
17 in Spokane, Washington, wherein the court will address the Motion to Compel (ECF No.  
18 61) and other discovery issues, time permitting. If all discovery matters are resolved by the  
19 parties prior thereto, the court shall be promptly notified.

20 **IT IS SO ORDERED.** The Clerk is hereby directed to enter this Order and furnish  
21 copies to counsel.

22 Dated July 8, 2016.

23 s/ Justin L. Quackenbush  
24 JUSTIN L. QUACKENBUSH  
25 SENIOR UNITED STATES DISTRICT JUDGE  
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